

SANPETE COUNTY COMMISSION MEETING

September 4, 2012, 1:00 P.M.

Sanpete County Courthouse, 160 North Main, Room 101, Manti, Utah

Present are: Commission Chair Claudia Jarrett, Commissioners Spencer Cox and Steve Frischknecht, County Attorney Brody Keisel, and County Clerk Sandy Neill. Present from the media is Bryon Glathar.

Meeting is called to order by Commission Chair Claudia Jarrett.

CLAIMS

Auditor Ilene Roth is present. Motion is made by Commissioner Frischknecht to approve payment of claims #329209 through #329283. The motion is seconded by Commissioner Cox, and the motion passes.

DISCUSSION OF TAX DEFERRALS AND ABATEMENTS AND EXTENSION OF DEADLINE TO APPLY

County Attorney Brody Keisel explains the process in the code for tax deferrals and abatements. The state prepared a form to use when relief is requested. This matter will be placed on the next agenda for approval and adoption of a new procedure for tax deferrals and abatements.

APPROVAL OF RIGHT OF WAY AGREEMENT FOR CENTRA COM INTERACTIVE TO INSTALL CONDUIT ALONG PINE CREEK ROAD

Motion is made by Commissioner Frischknecht to approve a right of way agreement for Centra Com Interactive to install conduit along Pine Creek Road. The motion is seconded by Commissioner Jarrett, and the motion passes. Commissioner Cox abstains from voting due to a conflict.

APPROVAL OF MINUTES

Motion is made by Commissioner Cox to approve the minutes from August 21, 2012 with minor corrections. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL OF PERCENTAGE FOR TITLE 3 AND PROPOSED PROJECTS

This matter is tabled. This may have been taken care of in the last Commission Meeting.

APPROVAL OF INDIGENT INMATE CONTRACT FOR JON EVAN SELZER

Motion is made by Commissioner Cox to approve the indigent inmate contract for Jon Evan Selzer. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPROVAL TO PAY SEARCH AND RESCUE REIMBURSEMENTS

Motion is made by Commissioner to approve the reimbursements to Search and Rescue for the following: 6 Mile Rescue @ \$1,352.00, Maple Canyon Fire @ \$1,858.55, and the Power Plant search @ \$2,184.90. The motion is seconded by Commissioner Frischknecht, and the motion passes. The funds come from the Title 3 allotments.

SHERIFF BRIAN NIELSON: APPROVAL TO HIRE TONIA LINO CASTRO AS A FULL TIME CONTROL ROOM OPERATOR

Sheriff Nielson is present. Motion is made by Commissioner Cox to approve hiring Tonia Lino Castro as a full time control room operator beginning September 19, 2012 at a rate of \$12.84 per hour. The motion is seconded by Commissioner Frischknecht, and the motion passes. The Commission expressed appreciation for the Sheriff's work during the recent flash flooding in the County. (After the meeting, the following correction was made: Tonia Lino Castro will begin working on September 5, 2012. Commissioners Cox, Frischknecht, and Jarrett approved the date change by phone.)

KEVIN CHRISTENSEN: APPROVAL OF TRAVEL COUNCIL EXPENDITURES

Motion is made by Commissioner Frischknecht to approve the following Travel Council expenditures: \$1,891.00 to Utah.com for annual advertising expense; \$1,795.00 to Go-Travel Sites for annual advertising for Sanpete Travel; \$3,500.00 to KJZZ TV/MPNHA for cooperative advertising between Sanpete County Travel and the Heritage Area; \$2,000.00 to County CLG as a match for Clarion project. The motion is seconded by Commissioner Cox, and the motion passes.

APPOINTMENT OF SKYLINE MOUNTAIN RESORT SPECIAL SERVICE DISTRICT BOARD MEMBER

Roy Fox is present. He applied to serve on the Skyline Mountain Resort Board. He lives in the Valley section. The opening was in the Birch Creek section. Dawayne O Coombs has been serving as the at large board member, lives in the Birch Creek section. Motion is made by Commissioner Cox to move Layne Lundstrom's appointment from the Birch Creek member to the member who also serves on the Skyline Mountain Resort Board, to serve until September, 2013; to move Dawayne O Coombs to serve as the Birch Creek member until September, 2013; and to appoint Roy Fox to the at large position to serve until September, 2016. The motion is seconded by Commissioner Frischknecht, and the motion passes.

APPOINTMENT OF INDIAN RIDGE WATER CONSERVANCY DISTRICT BOARD MEMBERS

Motion is made by Commissioner Cox to reappoint Dave Bess for another 4 years to expire September 4, 2016, and to appoint Janet Barlow to the part time 2 year term to expire September 4, 2014. The motion is seconded by Commissioner Frischknecht, and the motion passes. The vacant position one year position will be posted again.

STERLING GRAVEL PIT

Brent Sumsion with Geneva Rock Products, Larry Patterson, and Tom Seilor are present. Mr Sumsion addresses the Commission. He states the gravel pit has been used by the County for 50 or so years. As far as he knows, there was no written agreement for the use of the property. He believes that the property should be grand-fathered in due to use for so many years. Mr Patterson states his family purchased the property in 1993. Prior to that it was owned by Richard and Don Olsen. Mr. Patterson states this gravel pit is not an eyesore, and that the location is good for a gravel pit. He is willing to appeal the decision in court if the decision goes against allowing the gravel pit. Mr. Patterson believes there is a double standard as far as road requirements. There may have been a misunderstanding as to which roads were discussed in past meetings. Commissioner Jarrett explains that we're bound by the statutes in the County. Attorney Tom Seilor states it is highly unlikely that this is a discontinuation of a non conforming use. He interprets the

state statute on mining to state that approval of a mine remains valid for the life of a mine. No approval for this has been withdrawn by the state. Mr. Patterson states if this is not allowed to continue as a gravel pit, the County will be responsible to fill the hole. The Commission state that we need to follow procedures as much as possible. This was probably a non-conforming use. It should have gone to the Planning Commission for a conditional use permit before it came to the Commission as an appeal. The last time the pit was used and licensed was quite a few years ago. It makes sense to go back to Planning and Zoning because changes in the area can happen over the years. County Attorney Brody Keisel states more information has been presented today that he would like to review. Commissioner Cox agrees with all that Commissioner Jarrett has said. He recommends they get on the agenda for the Planning Commission just in case to keep things moving forward. Another concern is the buffer zone around Sterling that would not allow gravel pits. The Commissioners will review the information that was received today.

BRYCE JACKSON: WEED REPORT

Bryce Jackson is present. He is asking for another alternate on the weed board to replace Ed Shoppe who's term is up. Appointment of Jennie Nielson will be placed on the next agenda.

Motion is made by Commissioner Cox to go into executive session to discuss pending or reasonably imminent litigation . The motion is seconded by Commissioner Frischknecht , and the motion passes.

EXECUTIVE SESSION

Motion is made by Commissioner Cox to go out of executive session. The motion is seconded by Commissioner Frischknecht, and the motion passes. No action was necessary due to this executive session.

Motion is made by Commissioner Cox to adjourn. The motion is seconded by Commissioner Frischknecht, and the motion passes.

The meeting is adjourned at 5:46 P.M.

ATTEST: *Sandy Neill*
Sandy Neill
Sanpete County Clerk

APPROVED: *Claudia Jarrett*
Claudia Jarrett
Commission Chair